

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. :10/584207 Confirmation No.:3654
Applicant :Colgan et al.
Filed :November 28, 2007
TC/A.U. :1634
Examiner :Juliet C. Switzer
Customer No. :00270
Title :METHODS FOR DETECTING MARKERS ASSOCIATED
WITH ENDOMETRIAL DISEASE OR PHASE

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 35 USC §121

Sir:

This paper is in response to the Office Action dated November 17, 2009, requiring restriction of the claims. Please enter the following election and amendments

Election begins on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.

ELECTION OF CLAIMS

Applicants hereby elect, without traverse, the claims of Group I, *i.e.*, Claims 2-17 and 19-21, drawn to a method for detecting endometrial disease in a subject. Claims 2, 3, 4, 6, 8-10 and 19-21 fall within this elected group and read upon the election.

Applicants hereby elect, without traverse, the single species (A) of methods and products wherein the markers are proteins.

Applicants hereby elect, without traverse, the single species (B) of an endometrial marker from Table 1, namely the protein chaperonin 10, from among the allegedly patentably distinct group of markers listed in tables 1, 4, 5 or 6 and including those with specified SEQ ID NOs.

All pending claims 2, 3, 4, 6, 8-10 and 19-21 read upon the election.